

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DEVON ADDISON BLANCHARD,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-09-497-M
)	
LARRY HILL, et al.,)	
)	
Defendants.)	


ORDER

On October 13, 2009, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983 alleging constitutional deprivations related to the conditions of plaintiff's confinement. The Magistrate Judge recommended that defendants' motions to dismiss, construed as motions for summary judgment, be granted and that judgment issue in favor of defendants and against plaintiff based on plaintiff's failure to exhaust administrative remedies. Plaintiff was advised of his right to object to the Report and Recommendation by November 2, 2009, and was subsequently given until December 10, 2009 to file any objection. A review of the file reveals no objections have been filed.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on October 13, 2009;
- (2) GRANTS defendants' Motions to Dismiss [docket nos. 28, 29, 30, 31]; and
- (3) DISMISSES this action for failure to exhaust administrative remedies.

IT IS SO ORDERED this 25th day of March, 2010.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE